

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

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JOHN GARDNER, IV; and DAVID  
GARDNER,  
Plaintiffs,

v.

JAMES R. LARKIN, individually and  
as Managing member of the  
BlueShield Window Systems, LLC; and  
BLUESHIELD WINDOW SYSTEMS,  
LLC,  
Defendants.

C.A. No. 19-139-JJM-PAS

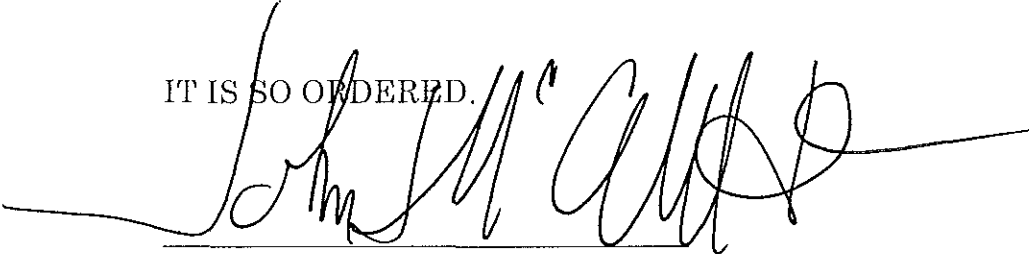
ORDER

Magistrate Judge Patricia A. Sullivan has been expertly and wisely managing this litigation from its inception. This matter involves on-going businesses and individuals' livelihood. The Magistrate Judge entered a Report and Recommendation (ECF No. 124) ("R&R") recommending that on an interim basis, while the parties and the Court work through this business dispute, the Court order Custom Built Inc. and Custom Built Windows Manufacturing, LLC ("the Companies") to pay Defendant James R. Larkin a subsistence amount of \$1000 per week and to continue his family health insurance coverage.

After a careful review of the entire file, the R&R, and the Plaintiffs' objection (ECF No. 134), the Court adopts the findings of facts and conclusions of law in the R&R for the reasons set forth therein. The R&R delicately balances the competing interests and maintains the status quo.

The Court hereby enters an interim preliminary injunction, in the nature of a temporary restraining order, to remain in effect until the Court issues its order on the Emergency Motion to Appoint a Receiver (ECF No. 18), ordering the Companies and Plaintiffs John Gardner, IV and David Gardner immediately to reinstate Mr. Larkin to the payroll of the Companies by paying him \$1000 per week to compensate him for his preparation for and attendance at the weekly owner meetings and immediately to reinstate his family health insurance coverage with coverage comparable to that made available to the other owners of the Companies. The Court ACCEPTS the R&R (ECF No. 124), GRANTS Defendants' Motion (ECF No. 131), and enters this Order *nunc pro tunc* to November 27, 2019.

IT IS SO ORDERED.



John J. McConnell, Jr.  
Chief Judge  
United States District Court

December 16, 2019